



AR&E Docket No. 63653/6

*Handwritten:* 4/15  
APR 11 2003  
4/14/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Richard J. Zeman and Joseph D. Etlinger  
Serial No. : 09/611,652  
Filed : July 7, 2000  
For : TREATING NEURAL CONDITIONS RESULTING FROM SPINAL  
CORD CONTUSIONS AND OTHER CAUSES  
Examiner : San-ming Hui  
Group Art Unit : 1617

REPLY UNDER 37 C.F.R. 1.114 ACCOMPANYING  
REQUEST FOR CONTINUED EXAMINATION

TECH CENTER 1600/2900

APR 04 2003

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BOX RCE  
Commissioner for Patents  
Washington, D.C. 20231

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Date of Deposit: March 31, 2003  
I hereby certify that this paper or fee is being  
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Mail Post Office to Addressee" service under 37 CFR  
1.10 on the date indicated above and is addressed to  
the Commissioner for Patents, Washington, D.C. 20231.  
Name: Elie H. Gendloff

Signature: *Elie H. Gendloff*

Sir:

This Reply accompanies the filing of a Request for Continued Examination.  
Applicants request a one month extension of time. With that extension, this Reply is due  
on Monday, March 31, 2003 (three months after the December 30, 2002 Notice of  
Appeal) and is timely filed.

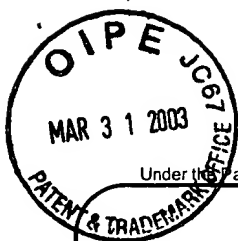
An Amster, Rothstein & Ebenstein check for \$430.00, which is the sum of the  
\$375.00 Request for Continued Examination fee and the \$55.00 fee for the one month  
extension of time (small entity) is enclosed.

04/02/2003 JBALINAM 00000100 09611652

Q2 FC:2251

55.00 OP

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PTO/SB/30 (01-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

# Request For Continued Examination (RCE) Transmittal

Address to:  
Commissioner for Patents  
Box RCE  
Washington, DC 20231

Application Number	09/611,652
Filing Date	July 7, 2000
First Named Inventor	Richard J. Zeman
Art Unit	1617
Examiner Name	San-ming Hui
Attorney Docket Number	63653/6

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

## 1. Submission required under 37 CFR 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☒ Affidavit(s)/ Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 01-1785
- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 01-1785
- i. ☐ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☒ Other Any fee not enclosed required to maintain pendency.
- b. ☒ Check in the amount of \$ 430.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Elie H. Gendloff	Registration No. (Attorney/Agent)	44,704
Signature	<i>Elie H. Gendloff</i>	Date	March 31, 2003

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as express mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below. Express Mail No. EV 031227469 US

Name (Print/Type)	Elie H. Gendloff	Date	March 31, 2003
Signature	<i>Elie H. Gendloff</i>		

Page 1 of 2

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Box RCE, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

04/02/2003 JBALINAN 00000100 09611652

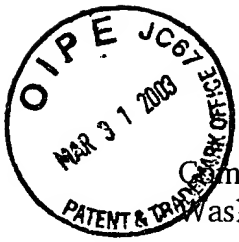
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Washington, DC 20231

-2-

March 31, 2003

5. Amster, Rothstein & Ebenstein check in the amount of \$430.00 to cover the RCE filing fee (\$375) and one month extension of time fee (\$55) for small entity status; and
6. Return receipt postcard.

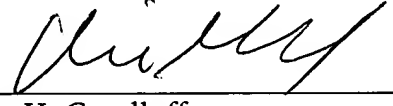
Small entity status was previously established and is still proper.

Please acknowledge receipt of the enclosed papers by stamping the enclosed postcard and returning the same to us.

Respectfully submitted,

AMSTER, ROTHSTEIN & EBENSTEIN  
Attorneys for Applicant  
90 Park Avenue  
New York, New York 10016  
(212) 697-5995

Dated: March 31, 2003  
New York, New York

By:   
Elie H. Gendloff  
Registration No. 44,704



4-1-3

RCE/\$  
1617

# AMSTER, ROTHSTEIN & EBENSTEIN

ATTORNEYS AT LAW

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\* NOT ADMITTED IN NEW YORK

March 31, 2003

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Name: Elie H. Gendloff

Signature: *Elie H. Gendloff*

Re: U.S. Utility Patent Application Serial No. 09/611,652 Filed July 7, 2000

Title: TREATING NEURAL CONDITIONS RESULTING FROM SPINAL CORD CONTUSIONS AND OTHER CAUSES

Inventors: Richard J. Zeman and Joseph D. Etlinger

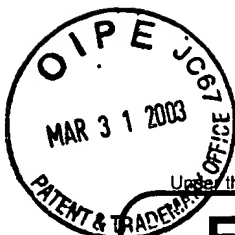
Our File: 63653/6

Dear Sir:

Enclosed please find the following documents for filing with the above-identified patent application in the names of Richard J. Zeman and Joseph D. Etlinger, entitled TREATING NEURAL CONDITIONS RESULTING FROM SPINAL CORD CONTUSIONS AND OTHER CAUSES, comprising the following:

1. Request for Continued Examination (RCE) Transmittal form (1 page);
2. Fee Transmittal for FY 2003 (PTO/SB/17) (1 page);
3. Reply under 37 CFR 1.114 Accompanying Request for Continued Examination with a one month extension of time requested therein (5 pages);
4. Declaration of Sansar C. Sharma, Ph.D. Under 37 CFR 1.132 (5 pages) and Curriculum Vitae of Sansar C. Sharma (22 pages);

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# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 430.00

## Complete if Known

Application Number 09/611,652  
Filing Date July 7, 2000  
First Named Inventor Richard J. Zeman  
Examiner Name San-ming Hui  
Art Unit 1621  
Attorney Docket No. 63653/6

TECH CENTER 600/2900

APR 04 2003

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## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☒ Other ☐ None

☒ Deposit Account:

Deposit Account Number 01-1785  
Deposit Account Name Amster, Rothstein & Ebenstein

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$ ) -0-

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims  -20\*\* =  X  =   
Independent Claims  -3\*\* =  X  =   
Multiple Dependent  =

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	84	2201	42	Independent claims in excess of 3	
1203	280	2203	140	Multiple dependent claim, if not paid	
1204	84	2204	42	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$ ) -0-

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	55.00
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	375.00
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ ) 430.00

## SUBMITTED BY

(Complete if applicable)

Name (Print/Type) Elie H. Gendloff Registration No. 44,704 Telephone 212-697-5995  
Signature *Elie H. Gendloff* Date March 31, 2003

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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